



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

April 4, 2016
System No.: 5410503

Mr. Paul Schwarz, Public Health Sanitarian
National Parks Service - Wolverton
47050 Generals Highway
Three Rivers, CA 93271

RE: National Park Service – Wolverton – System No. 5410503
Citation No. 03_12_16C_005

Dear Mr. Schwarz:

The State Water Resources Control Board – Division of Drinking Water (Division) has issued Citation No. 03_12_16C_005, for violation of California Code of Regulations, Title 22, Section 64662(a), to submit accurate and complete surface water reports to the Division monthly for the NPS - Wolverton (Water System). The citation is enclosed.

The Water System will be billed at the Division's hourly rate (currently estimated at \$153.00) for the time spent on issuing this citation. The California Health and Safety Code Section 116577 provides that a public water system must reimburse the Division for actual costs incurred by the Division for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a compliance order. At this time, the Division has spent approximately two hours on enforcement activities associated with this violation.

If you have any questions regarding this matter, please contact me at (559) 447-3300 or Eli McFarland at (559) 447-3317.

Sincerely,

Tricia A. Wathen, P.E.
Senior Sanitary Engineer, Visalia District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

TAW/ETM
Enclosures: Citation No. 03_12_16C_005 & Attachments

cc: Tulare County Environmental Health Department

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: National Park Service – Wolverton

Water System No: 5410503

Attention: Mr. Pul Schwarz, Public Health Sanitarian
47050 Generals Highway
Three Rivers, CA 93271

Issued: March 15, 2016

CITATION FOR NONCOMPLIANCE
MAINTAINING ACCURATE AND COMPLETE OPERATIONS RECORDS
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64662(a)
JANUARY 2016

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Board") to issue a citation to a public water system when the State Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

1 The State Board, acting by and through its Division of Drinking Water (hereinafter "Division")
2 and the Deputy Director for the Division, hereby issues this citation pursuant to Section 116650
3 of the CHSC to the National Park System - Wolverton (hereinafter "System") for violation of
4 California Code of Regulations (hereinafter "CCR"), Title 22, Section 64662(a).

5
6 A copy of the applicable statutes and regulations are included in Appendix 1, which is attached
7 hereto and incorporated by reference.

8 9 **STATEMENT OF FACTS**

10 The System is classified as a community water system with an approximate permanent
11 population of sixty-seven (67) persons and an approximate daily transient population of two
12 thousand nine hundred (2,900) persons served through one hundred thirty one (131) service
13 connections. The System operates two (2) surface water treatment plants, Wolverton and
14 Lodgepole, and one (1) groundwater well. The Wolverton surface water treatment plant utilizes
15 slow sand filtration and disinfection to treat surface water from Wolverton Creek. The
16 Lodgepole surface water treatment plant utilizes in-line filtration and disinfection to treat surface
17 water from Sillman Creek.

18 The System is required to maintain accurate and complete operations records and the System
19 is also required to submit accurate and complete records to the Division on a monthly basis per
20 CCR, Title 22, Section 64662(a) and Section 64664(a). The System has failed to submit
21 complete and accurate monthly surface water reports to the Division.

22 23 **DETERMINATION**

24 Beginning in September 2015 through January 2016 the System has failed to submit complete
25 and accurate monthly surface water reports to the Division by the 10th of the following month.
26 The submitted monthly reports are incomplete and the accuracy of the reported information
27

1 has been inconsistent. The production data provided in the daily production and disinfection
2 residual table has not consistently matched the production listed in the Contact Time (CT)
3 Compliance Table. The monthly surface water reports have not been signed since November
4 2013 as required per CCR, Title 22, Section 64664(a). The lowest measured initial chlorine
5 residual for each day has not been reported consistently as required per CCR, Title 22, Section
6 64664(c)(3). CCR, Title 22, Section 64664(c)(1) requires the System to provide the date and
7 duration of each instance when the disinfectant residual in water supplied to the distribution
8 system is less than 0.2 mg/L and notify the Division of each occurrence. The System has failed
9 to document the required duration of the occurrences and when the System returned the
10 distribution disinfection residual above 0.2 mg/L. The System is required to provide written
11 explanations to the Division for any violations per CCR, Title 22, Section 64664(e).

12 13 DIRECTIVES

14 The System is hereby directed to take the following actions:

- 15
- 16 1. Comply with CCR, Title 22, Section 64662(a) and Section 64664(a), in all future
17 monitoring periods.
 - 18 2. Attend an office hearing to discuss the citation and procedures the System has
19 implemented to ensure Directive No. 1 is complied with. The meeting will be held at the
20 Division's Fresno, California office no later than May 15, 2016.

21

22 All submittals required by this Citation shall be submitted to the Division at the following
23 address:

24 Tricia Wathen, P.E., Senior Sanitary Engineer
25 State Water Resources Control Board
26 Division of Drinking Water, Visalia District
27 265 W. Bullard Ave, Suite 101
Fresno, CA 93704

1
2 The State Board reserves the right to make such modifications to the Citation as it may deem
3 necessary to protect public health and safety. Such modifications may be issued as
4 amendments to this Citation and shall be effective upon issuance.

5
6 Nothing in this Citation relieves the System of its obligation to meet the requirements of the
7 California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270),
8 or any regulation, standard, permit or order issued or adopted thereunder.

9
10 **PARTIES BOUND**

11 This Citation shall apply to and be binding upon the System, its owners, shareholders, officers,
12 directors, agents, employees, contractors, successors, and assignees.

13
14 **SEVERABILITY**

15 The directives of this Citation are severable, and the System shall comply with each and every
16 provision hereof, notwithstanding the effectiveness of any other provision.

17
18 **FURTHER ENFORCEMENT ACTION**

19 The California SDWA authorizes the State Board to: issue a citation with assessment of
20 administrative penalties to a public water system for violation or continued violation of the
21 requirements of the California SDWA or any regulation, permit, standard, citation, or order
22 issued or adopted thereunder including, but not limited to, failure to correct a violation identified
23 in a citation or compliance order. The California SDWA also authorizes the State Board to take
24 action to suspend or revoke a permit that has been issued to a public water system if the public
25 water system has violated applicable law or regulations or has failed to comply with an order of
26 the State Board, and to petition the superior court to take various enforcement measures
27

1 against a public water system that has failed to comply with an order of the State Board. The
2 State Board does not waive any further enforcement action by issuance of this Citation.

3
4
5 Tricia A. Wathen

6 Tricia Wathen, P.E.
7 Senior Sanitary Engineer, Visalia District
8 DRINKING WATER FIELD OPERATIONS BRANCH

April 4, 2016
Date

9 TAW/EM

10 Appendices:

11 Appendix 1: Applicable Statutes and Regulations

12 Certified Mail No. 7015 1660 0000 0781 9579



APPENDIX 1

Applicable Statutes and Regulations for Citation No. 03_12_16C_005

FOR VIOLATION OF CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64662(a)

Section 116271 of the CHSC states in relevant part:

(a) The State Water Resources Control Board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:

- (1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).
- (2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.
- (3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.
- (4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).
- (5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.
- (6) Chapter 7 (commencing with Section 116975).
- (7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).
- (8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).
- (9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.
- (10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).
- (11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).
- (12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).

(b) The State Water Resources Control Board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to "department," "state department," or "director" regarding a function transferred to the State Water Resources Control Board shall refer to the State Water Resources Control Board. This section does not impair the authority of a local health officer to enforce this chapter or a county's election not to enforce this chapter, as provided in Section 116500...

- (k)
- (1) The State Water Resources Control Board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.
 - (2) The deputy director is delegated the State Water Resources Control Board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are deemed decisions and actions taken, but are not subject to reconsideration, by the State Water Resources Control Board. Decisions and actions of the deputy director taken pursuant to Article 8 (commencing with Section 116625) and Article 9 (commencing with Section 116650) are deemed decisions and actions taken by the State Water Resources Control Board, but any aggrieved person may petition the State Water Resources Control Board for reconsideration of the decision or action. This subdivision is not a limitation on the State Water Resources Control Board's authority to delegate any other powers and duties.

Section 116650 of the CHSC states in relevant part:

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

CCR, Title 22, Section 64662 states in relevant part:

(a) A supplier shall maintain accurate and complete operation records for each treatment plant that treats an approved surface water. The records shall include but not be limited to the following:

- (1) The results of all monitoring conducted in accordance with sections 64654.8, 64655, 64656, 64656.5, and 64660;
- (2) Dates on which filter maintenance and inspections were performed and the results of any inspections including pressure filter evaluations required by section 64660(b)(8);
- (3) Quantity of water produced, plant flow rates, filtration rates, hours of operation, and backwash rates; and
- (4) Dates and description of major equipment and process failures and corrective actions taken.

CCR, Title 22, Section 64664 states in relevant part:

§64664. Monthly Report.

(a) For each calendar month, a supplier shall submit a report to the Department by the tenth day of the following month that includes the applicable information in this section for each treatment plant. The report shall be signed by the chief water treatment plant operator, plant superintendent, or other person directly responsible for the operation of the water treatment plant.

(c) The report shall include the following disinfection monitoring results obtained pursuant to section 64656:

- (1) The date and duration of each instance when the disinfectant residual in water supplied to the distribution system is less than 0.2 mg/L and when the Department was notified of the occurrence;
- (3) For each day the lowest measurement of residual disinfectant concentration in mg/L in the water entering the distribution system

(e) The report shall include a written explanation of the cause of any violation of performance standards specified in sections 64653 or 64654 and operating criteria specified in section 64660(b)(9).